



**EDWARD A. FRIEDMAN**  
efriedman@fklaw.com  
212.833.1102

October 23, 2017

BY ECF

Hon. Jesse M. Furman  
U.S. District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Centre Street, Room 2202  
New York, NY 10007

Re: *U.S. Bank National Association v. Windstream Services, LLC,*  
Docket No. 17 Civ. 7857 (JMF) (S.D.N.Y.)

Dear Judge Furman:

We represent plaintiff-counterclaim defendant U.S. Bank National Association, solely in its capacity as indenture trustee (the “Trustee”) for the 6 3/8% senior notes due 2023 (the “Notes”) issued by Windstream Services, LLC (“Services”). Counterclaim defendant Aurelius Capital Master, Ltd. (“Aurelius”) joins in this letter.

If, notwithstanding the arguments in our letter of Friday October 20, 2017, Your Honor is inclined to grant some interim relief to Services, we respectfully submit a proposed form of order for the Court’s consideration. The purposes of this proposed form are (i) to enable Services to avoid the alleged harm it has claimed would result if the merits of this case are not decided prior to the expiration of the cure period, (ii) but, at the same time, to avoid unintended consequences that could substantially impair the bargained-for rights of the Trustee and Aurelius if the Court orders a tolling of the cure period.

This proposed Order fully addresses the concerns expressed about Event of Default and cross-defaults, in the letter filed this morning by Services’ counsel (even though we dispute the validity of those concerns, and Services has made no showing that there is a basis for them).

We are available to discuss all of the above at the Court’s convenience.

Respectfully submitted,

/s/ Edward A. Friedman

cc: Counsel of Record (via ECF)

Enclosure